

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2546

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2546, entitled "A Bill for an Act Relating to Offender Reentry."

The purpose of this bill is to further clarify chapter 353H, Hawaii Revised Statutes, in which the comprehensive offender reentry system is codified, to allow the Department of Public Safety to work with other agencies to develop and provide inmates with services and to require the Department of Public Safety to rotate inmates back and forth if there is not enough room to bring back all inmates on the mainland. This bill also declares that the provisions of Act 8, First Special Session Laws of Hawaii 2007, which established the comprehensive offender reentry system, are mandatory instead of directory.

This bill is objectionable because the Legislature continues to mandate all aspects of offender reentry without consideration for the feasibility, practicality, and fairness of implementing such programs and services.

As an example, Senate Bill No. 2546 requires the Department of Public Safety to implement a quarterly rotation system to return out-of-state inmates with less than one year to serve while transporting inmates with longer sentences to the mainland. The provision does not make any distinction or provide priority for inmates who may benefit most from returning to Hawaii.

Moreover, this measure does little to address the liability issues created by Act 8, Special Session Laws of Hawaii

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2007, as mentioned in both my veto message for Senate Bill No. 932 and the opinion issued by the Attorney General on July 30, 2007. In addition, this measure also does not provide funding for the programs and services that were required to be implemented by the Department of Public Safety pursuant to this measure and Act 8, Special Session Laws of Hawaii 2007.

It is important that the Department of Public Safety be allowed to make its own judgments on how offender reentry can best be implemented to ensure the welfare of the inmates and protect the public.

For the foregoing reasons, I am returning Senate Bill No. 2546 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii